

**MEMORANDUM**

To: Dublin City Council  
Marsha Grigsby, City Manager  
Anne Clarke, Clerk of Council

From: Stephen J. Smith  
Jennifer Readler  
Yazan S. Ashrawi

Date: August 22, 2013

Re: Dublin Kabuki LLC Application for D5 and D6 Liquor Permits

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**I. INTRODUCTION**

The City of Dublin recently received a Notice to Legislative Authority ("Notice") from the Ohio Division of Liquor Control concerning Dublin Kabuki LLC's ("Kabuki") transfer application for a class D5 and D6 liquor permit. Dublin has received this Notice pursuant to R.C. 4303.26 because Kabuki's proposed location for the permit premises will be located within the corporate limits of Dublin. As such, Dublin may request a hearing regarding the advisability of the issuance, transfer of ownership, or transfer of location of the permit.

**II. BACKGROUND**

Kabuki is a domestic limited liability company that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 6395 Perimeter Drive, Dublin, Ohio 43017, which is located just west of Avery-Muirfield Drive off of the 33/161 exit. Kabuki is seeking to obtain a D5 and D6 liquor permit from Yenna LLC DBA Sushi Bistro, also a domestic limited liability company actively registered with the Ohio Secretary of State to conduct business in Ohio, which presently holds the permits at the same exact address (6395 Perimeter Drive). This transfer application for both permits is currently pending before the Ohio Division of Liquor Control ("Division").

According to the Division's records, Kabuki is in good standing and does not have any history of violating Ohio liquor permit laws. If approved, Kabuki will inherit the same D5 and D6 liquor permits that are currently held by Yenna at the same location. It appears that Yenna LLC DBA Sushi Bistro is now closed.

### **III. RECOMMENDATION**

It would appear that it is unnecessary to request a hearing in this matter. The permits will simply transfer from one restaurant business that is now closed to another located on the same premises. Regardless of whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by September 3, 2013.

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

2321971		TRFO	DUBLIN KABUKI LLC 6395 PERIMETER DR DUBLIN OHIO 43017
PERMIT NUMBER		TYPE	
02	01	2013	
ISSUE DATE			
07	31	2013	
FILING DATE			
D5 D6		PERMIT CLASSES	
25	066	B	F10273
TAX DISTRICT			RECEIPT NO.

FROM 08/02/2013

9823830			YENNA LLC DBA SUSHI BISTRO 6395 PERIMETER DR DUBLIN OHIO 43017
PERMIT NUMBER		TYPE	
02	01	2013	
ISSUE DATE			
07	31	2013	
FILING DATE			
D5 D6		PERMIT CLASSES	
25	066		
TAX DISTRICT			RECEIPT NO.



MAILED 08/02/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN.

09/03/2013

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

**B TRFO 2321971**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF DUBLIN CITY COUNCIL  
5200 EMERALD PARKWAY  
DUBLIN OHIO 43017

LLC / PARTNERSHIP CROSS REFERENCE  
DISPLAY

PGECC

2321971 PERMIT NBR  
DUBLIN KABUKI LLC  
6395 PERIMETER DR  
DUBLIN OHIO 43017

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HANNAH BROWN

07/31/2013 ACTIVE

MNMB5%V5%M

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE

D8      \$500      ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

#### Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	<u>ORC 4303.13</u> Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	<u>ORC 4303.14</u> Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	<u>ORC 4303.141</u> (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> (Grandfathered Permit) Wine only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> (Same as D5). Restaurant meeting certain criteria.
D7	\$469	<u>ORC 4303.183</u> (Same as D5). RESORT area only.

#### Club

Permit Class	Permit Fee	Description
D4	\$469	<u>ORC 4303.17</u> Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	<u>ORC 4303.171</u> Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	<u>ORC 4303.181</u> (Same as D5.)(This class can no longer be applied for.)
D5D	\$2,344	<u>ORC 4303.181</u> (Same as D5) located at airport.

#### Hotel And Motel

Permit Class	Permit Fee	Description
D5A	\$2,344	<u>ORC 4303.181</u> (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

#### Enclosed Shopping Mall

Permit Class	Permit Fee	Description
D5B	\$2,344	<u>ORC 4303.181</u> (Same as D5) for enclosed shopping mall.

## River Boats

Permit Class	Permit Fee	Description
D5E	\$1,219	<u>ORC 4303.181</u> (Same as D5). Historical river boat owned by charitable organization only.

## Marinas

Permit Class	Permit Fee	Description
D5F	\$2,344	<u>ORC 4303.181</u> (Same as D5). Marina restaurant only.

## Museums

Permit Class	Permit Fee	Description
D5G	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). National sports museum only.
D5H	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Fine arts museum only.

## Community Entertainment District/Revitalization

Permit Class	Permit Fee	Description
D5J	\$2,344	<u>ORC 4303.181</u> (Same as D5). Community entertainment district.
D5L	\$2,344	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Revitalization District.

## Sunday Sales

Permit Class	Permit Fee	Description
D6	\$400-c \$500-d	<u>ORC 4303.182</u> Sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight.

## Other

Permit Class	Permit Fee	Description
D5K	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Certain non profit organizations that own and operate a botanical garden.